

No. PD-0748-17

IN THE  
COURT OF CRIMINAL APPEALS OF TEXAS  
FILED  
COURT OF CRIMINAL APPEALS  
9/8/2017  
DEANA WILLIAMSON, CLERK

KELSEY JO LACKEY	§	COURT OF APPEALS NO.
	§	10-17-00016-CR
V.	§	
	§	DISTRICT COURT NO.
THE STATE OF TEXAS	§	13-04695-CRF-272

STATE'S MOTION FOR EXTENSION OF TIME  
TO FILE STATE'S RESPONSE

COMES NOW, the State of Texas, by and through its Assistant District Attorney, Douglas Howell, III, and respectfully requests that the Court grant an Extension of Time to File State's Response to Appellant's Petition for Discretionary Review in the above reference cause.

The State would show in support of her action that:

1. The case is styled the State of Texas v. Kelsey Jo Lackey, cause no. 13-04695-CRF-272, in the 272<sup>nd</sup> District Court, Brazos County, Texas.
2. On March 20, 2017, the Tenth Court of Appeals dismissed the appeal in case no. 10-17-00016-CR. TEX. R. APP. P. 25.2(d).
3. On August 23, 2017, appellant filed his corrected petition for discretionary review. The State's response is due on September 7, 2017. TEX. R. APP. P. 68.9.
4. The length of time requested is until October 6, 2017;
5. This is the first request for an extension;
6. And as good cause the State's attorney, Douglas Howell, III, would show this Court that this request is made because he has filed the

following State's brief/answer, involved in the following case setting or has the following response due:

- Webster v. State no. 10-17-000248-CR, State's brief filed August 30, 2017.
- Ruiz v. State, no. 10-16-00247-CR, State's brief due September 11, 2017.
- Saucedo v. State, no. 07-17-00100-CR, State's brief due September 28, 2017.
- Tennell v. State, no. 01-17-00571-CR, State's proposed findings of fact and conclusions of law for the denial of defendant's motion for new trial due in case no. 15-01993-CRF-85.

This request is not made for purposes of delay but so that justice may be served.

Respectfully submitted,

/s/ Douglas Howell, III

Assistant District Attorney  
Brazos County, Texas  
300 East 26th Street, Suite 310  
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979-361-4320  
State Bar No. 10098100

#### CERTIFICATE OF SERVICE

I, Douglas Howell, III, do hereby certify that a true and correct copy of the above State's Motion for Extension of Time to File State's Response was emailed to:

- E. Alan Bennett at abennett@slm.law.
- State Prosecuting Attorney at information@spa.texas.gov.

on this the 7th day of September, 2017.

/s/ Douglas Howell, III